

SIKKIM

GOVERNMENT GAZETTE



EXTRAORDINARY
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SIKKIM REGISTRATION OF TOURIST TRADE RULES 2006

GOVERNMENT OF SIKKIM
DEPARTMENT OF TOURISM
GANGTOK- SIKKIM.

NO. 06/TD

DATE: 9/8/2006

NOTIFICATION

In exercise of the powers conferred by sub – section (1) of the section 50 of the Sikkim Registration of Tourist Trade Act, 1998, the State Government hereby makes the following rules, namely.

PRELIMINARY

Short title, extent and commencement.

1.

- (1) These rules may be called the Sikkim Registration of Tourist Trade Rules 2006.
- (2) It extends to the whole of Sikkim
- (3) It shall come into force on such date as the State Government may, by Notification in the Official Gazette, appoint.

Definition.

2.

In these rules unless the context otherwise requires.

- a) 'Act' means the Sikkim Registration of Tourist Trade Act, 1998
- b) 'black –list' means a list maintained and exhibited by Tourism Department for dealers, hotel- keeper and travel agents who have black listed under the provisions of the Act;
- c) 'dealer' means a person carrying on in a tourist area the business of selling any notified articles, whether wholesale or retail and includes his agent or employee transacting business on his behalf.
- d) 'hotel' means any premises, establishment, lodges, homestay, dhabas, bar, tents where lodging with or without board or other services is provided for a monetary consideration.
- e) 'hotel – keeper' means any person who owns or operates hotel as proprietor and includes a person managing or operating the affairs of a hotel for and on behalf of the proprietor;
- f) 'malpractice' includes dishonesty, cheating, touting, impersonation, obstruction in allowing free choice for shopping or stay or travel arrangement, charging price higher than that displayed on the label or remuneration higher than that fixed under the Act, or by any other competent authority, failure to execute an order within the stipulated time or according to the terms agreed.

Explanation – I For the purpose of this clause, labeled price shall be reasonable price with stock number recorded on each label of each item as reflected in the stock books of dealer / manufacture maintained at their place of business which shall be open for inspection by the buyer (s) of the item(s) or by the prescribed authority.

Explanation –II The expression 'touting' means coercing for shopping, accommodation, transportation, luggage, sight seeing or pestering for any particular premises by a person , establishment or manufacturer with considerations of personal benefit.

- (g) '**notified articles**' means any article notified by the State Government in the Official Gazette for the purpose of this Act;
- (h) '**part**' means a part of the Act;
- (i) '**person**' including an individual irrespective of having trade license issued by competent authority under any authority of law, a registered firm, body corporate, Association of persons, society or a company;
- (j) '**prescribed authority**' means the authority referred to in clause (i) of section 2 of the Act;
- (k) '**tourist**' means a person or group of persons including pilgrims visiting the State from any part of India or outside India;
- (l) '**tourist area**' means any area notified by the Government in the Official Gazette to be a tourist spot for the purpose of this Act
- (m) '**travel agent**' means a person engaged in the business of conducting tours and travels, trekking , camping , and tour operating or other arrangements for the tourist for a monetary consideration and includes a tourist guide, excursion agent or tour operator or cargo agent;
- (n) '**offence**' means contravention and violation of any of the provision of the Act;
- (o) '**offender**' means any person who has committed offence under the Act;
- (p) '**fine**' means a sum of rupees to be paid by the offender as prescribed in the section 29 of the Act;
- (q) '**Form**' means a form appended to these rules;
- (r) '**Annexure**' means annexure appended to these rules;
- (s) '**register**' means the register of hotel keepers, dealers, excursion, agents or guides, travel agents or photographers, as the case may be , relevant in the context of these rules;
- (t) '**Section**' means a section of the Act;
- (u) '**Licensing Authority**' means person appointed by the Department of Tourism;
- (v) '**department**' means the Department of Tourism;

CHAPTER –II

Application for registration.

3. (1) Any person intending to carry on business as dealer under the Act shall before the commencement of such business; apply for the registration to the prescribed authority in the Form –I.
- (2) Notwithstanding anything contained in sub- section 1, of section 3 any person; already carrying on the business of selling any notified article in a tourist area on the date such article is notified under clause (l) of the section 2 of the Act shall apply for registration under the Act within the period of three months from the date of the receipt of the application.
- (3) Any person or persons who is directly involved or already involved or doing business or allied business in terms of provision under clauses (d) (l) (i) or (t) of rule 2 of these rules prior to the commencement of these rules shall apply for the registration Forms II, III and IV appended to these rules within one month from the date of publication of these rules. Contravention of these rules or non compliance of these rules shall be punishable as prescribed under these rules.

Registration fee

4. An application for registration as a dealer, hotel, travel agent, proprietor of a restaurant/bar, hotel guide or out door photographer, he/she shall be accompanied by the following fee, as the case may be through demand draft or cash to be deposited in the office of the prescribed Authority.

1.	Registration Fee:	Rs.
	(a) Dealer	1000
	(b) Hotel	1500
	(c) Restaurant/Bar	1500
	(i) not exceeding 9 living rooms	2000
	(ii) Exceeding 9 rooms	2500
	(d) Travel agent/ Excursion Agent	1000
	(e) Tourist/ hotel guide & outdoor photographer	500
2.	Fees for Issuance of duplicate certificate	2000

Acknowledgement of the application

5. The Prescribed authority or his authorized person shall, on receipt of the application along with the prescribed fee, acknowledge the receipt thereof indicating the date on which the application is submitted by the applicant, date of receipt and the amount of the fee received with the application.

Certificate of registration

6. The prescribed authority, shall unless registration is refused under rule 7, shall issue Certificate of registration to the dealer in the Form V Certificate of registration of hotel in Form VI and Certificate of registration of Bar/ Restaurant in Form VII. within the period of three months from the date of the receipt of the application.

Refusal to register

7. (1). The prescribed authority may refuse registration of the dealer under the Act if he is convicted of any offence punishable under any law providing for prevention of hoarding, smuggling or profiteering or adulteration of food or drug offence under chapter XIII and XIV of the Indian Penal Code, 1860 and three years have not elapsed since the expiry of any sentence imposed upon him.
- (2). No application for registration shall be refused Certificate of Registration be cancelled unless, the person applying for registration and the person whose certificate of registration is to be cancelled has been afforded a reasonable opportunity of being heard.

Removal of the name from the register

8. The prescribed authority may by an order in writing remove the name of the dealer from the register and cancel his certificate of registration on any of the following grounds, namely;
- a. if he ceases to be a dealer;
b. if he is convicted of any offence punishable under Chapter XIII and XVI of the Indian Penal Code, 1860 or under any law providing for the prevention of hoarding, smuggling or profiteering or adulteration of food or drugs or corruption or
c. if he is black listed by the prescribed authority .
 - Any dealer whose name is removed from the register under sub- rule (1) shall forthwith cease to be a dealer.

Black – listing of dealer

9. The prescribed authority may, on proof of complaint of malpractice or for any other offence committed under this Act, for reasons to be recorded, blacklist a dealer, after taking into consideration the nature of malpractice.
- (1) The particulars of a dealer black- listed shall be exhibited at conspicuous places in all tourist areas or spots and notified to all travel, trade and other concerned organizations after the order of black-listing him has become final.
 - (2) Notwithstanding action taken under sub- rule (1), the dealer shall be liable to be prosecuted under the provisions of law if deemed necessary.

Notice of removal and blacklisting of dealer

10. Before removing the name of a dealer under rule 8 or blacklisting him under rule 9, the prescribed authority shall give notice to the dealer of the ground or grounds on which it is proposed to take action and hold an enquiry in the presence of the dealer giving him a reasonable opportunity of showing cause against it.

Removal of the name of black- listed Dealer

11. If the prescribed authority is satisfied that there are sufficient grounds for removal of name of a dealer from the black – listed, he may, after recording the reasons, order his removal from such list and issue a fresh certificate of registration on payment of prescribed fee and notify the same for the information of all concerned.

CHAPTER –III

An application For registration

12. (1) Any person intending to operate a hotel shall, before operating apply for registration to the prescribed authority in Form II.
- (2) Every application made under sub –rule (1) shall be disposed off within a period of one month from the date of receipt of the application failing which the application shall be deemed to have been accepted for registration, unless, reasons to be recorded for delay of proceeding.
- (3) Notwithstanding any thing contained in sub- rule (1) any person already operating/ running a hotel on the date of issue of the notification (1) he shall apply for registration within three months from the date of issue of the said notification.

Certificate of registration

13. The prescribed authority shall, unless registration is refused under rules 14, direct that the name and particulars of the hotel and the hotel keeper be entered in the register maintained for the purpose and shall issue a certificate of registration to hotel keeper in the prescribed form -VI.

Refusal to Register a hotel

14. The prescribed Authority may refuse registration of a hotel under section 5 of Sikkim Tourist Trade Act, 1998, on any of the following grounds, namely:-
- a) if the hotel keeper does not hold a license or certificate required to be a hotelier by or under any law for the time being in force;
 - b) if the hotel keeper is found to be in unlawful possession or under his control of any explosive substance of a nature likely to endanger life or to cause serious injury to property;
 - c) if the hotel keeper is found running illegal business and /or other prohibited business under the law;
 - d) if the hotel keeper has been declared an insolvent by a Court of competent jurisdiction and has not been discharged.

Explanation:- Explosive substance shall be deemed to include any material for making any explosive substance, any apparatus, machine, implement or materials used, or intended to be used or adapted for causing, aiding in causing, any explosion in or with any explosive substance, or, any part of such apparatus, machine or implement and also as defined in the Arms Act.

- e) if the hotel keeper is convicted of any offence under the Arms Act, 1959 , till the elapse of five years from the date of conviction;
- f) if the hotel keeper is convicted of any offence punishable under the Prevention of Illicit Traffic in Narcotic Drugs and Pýcho tropic substances Act , 1988 and any of the offence punishable under the Immoral Traffic (Prevention) Act 1956 and five years has not been elapsed;
- g) if the hotel keeper has been convicted in any offence punishable under the Indian Panel Code 1860 and under the Food Adulteration Act and five years has not elapsed;
- h) if the hotel keeper has been removed from the register and his certificate of registration is cancelled under any of the clauses and provision of this Act and six months have not elapsed since the date of removal and cancellation.
- i) if, in the opinion of the Prescribed Authority, there is any sufficient grounds to be refused.

Provided that the reasons is to be recorded in writing for refusing of registration.

(2) No application for registration shall be refused unless the person applying for registration has been afforded a reasonable opportunity of being heard.

Power of inspection of the premises

15. 1. The Prescribed Authority or his authorized person in writing shall have power of inspection of the premises without any search warrant from the Magistrate or court of law before issuance of the certificate of registration and entry in the register for his satisfaction at any convenient and reasonable time.
2. The prescribed Authority shall also have the power of inspection in the premises, if the complaint is received in writing for involvement of any offence defined under this rules without search warrant.

Power of seizure and impose fine.

16. During the inspection of the premises, the Prescribed Authority or any of the authorized person not below the rank of under secretary /Inspector shall have the power of seizure of any articles or any materials of offence as defined under this Act as materials of evidence for subsequent trial and if the prescribed authority or authorized person has found anything in contravention and violation of any of the rule of this Act, he shall impose the fine thereof as per the provision under the Act.

Seized article to be kept in safe custody or may be forwarded to the

17. After the seizure of the seized articles, it shall be kept in safe custody of the Prescribed Authority or may be forwarded to the police for or the next course of action as the case may be:
Provided that if no application is presented, claiming the rightful ownership of the seized article under rule 16, for recovery of possession of such article within three (3) months from the date of seizure, the ownership of such article shall vest with the Government. The Prescribed Authority shall have the power for public auction of such seized articles and the revenue so collected shall be credited in the exchequer of the Government.

Supply of seizure

18. After the seizure, a copy of the seizure memo is to be supplied **memo** from whom the article was seized.

CHAPTER - IV

Removal of the name from the register and cancellation

19. 1. The prescribed authority may by order in writing, remove the name of a hotel keeper from the register and cancel the Certificate of Registration on any of the following grounds namely:-
- a) if the hotel keeper ceases to operate the hotel for a period of two years for which it is registered;
 - b) if the hotel keeper is black – listed under this act;
 - c) if any complaint of malpractice is proved against the hotel keeper;
 - d) if hotel keeper is found to be in illegal possession of any explosive substance and other articles forbidden by law;
 - e) if the hotel keeper is involved, arrested and convicted under any law within the State of Sikkim and within the territory of India;
 - f) if the hotel keeper has been declared an insolvent by a Court of competent jurisdiction and has not been discharged;
2. Any hotel the name of which is removed from the register under sub rule (1), shall forthwith cease to operate;

Procedure for removal and cancellation of the registration certificate

20. The Prescribed authority may issue summons and show- cause notice to the offender by giving at least fifteen days time to file their show- cause and thereafter the Prescribed authority will hear the matter in person or through pleader and shall pass an order accordingly of his finding. The summons and show – cause shall be issued by way of registered post service or by way of service personally duly acknowledgment of the recipient through the authorized person of the prescribed authority; **Provided** that no Order shall be passed without giving an opportunity of hearing and in the default of the appearance of the offender the Prescribed Authority may pass ex-parte order against the offender.

Procedure of black – listing

21. The Prescribed Authority may on proof on a complaint and on enquiry by himself or any of the authorized officer or person in writing and after hearing the parties by giving reasonable opportunity of hearing for the violation/contravention of any of the provision of the Act and rules and/ or found to be involved in malpractices and any other offences committed under any law, record the reasons in writing considering the gravity of the offence involved, the prescribed authority may pass an order of black listing against the offender; **Provided** that no such order may be passed unless a reasonable cause is shown in writing to the satisfaction of the Prescribed Authority or reasonable opportunity of being heard is given before passing such order for black- listing. The black- listing shall be within the prescribed period not exceeding the period of ten years.

Power of fixing The black –listing period

22. The Government by Notification in Official Gazette shall fix the period of the black- listing in the schedule of this Rule, as per the offence committed by the offender considering the nature and gravity of the offence.

Power of the Fixing the rates

23. The Prescribed Authority may, by Notification in the Official Gazette, fix reasonable/ maximum rates which may be charged by a travel agent for the service rendered by him to a person engaging him as such.

CHAPTER –V

Procedure for an appeal against the order of prescribed authority.

24. i) Subject to the provision of sub- section (2) of section 27 of the Act an appeal shall lie from every order of the prescribed authority under this Act to the appellate authority to be appointed by the Government, by notification.
- ii) The Appellate authority shall be at the rank of the Secretary or equivalent of the concerned Department;
- iii) Every such appeal shall be preferred within thirty days from the date of communication of the order; Provided that the appellate authority may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the appellant was prevented by sufficient cause from filing it within the prescribed time limit.
- iv) The appellant shall have a right to appear through a counsel and the prescribed authority may be represented by such officer or person or a counsel as the Government may appoint.
- v) On the receipt of any such appeal, the appellate authority shall give the appellant and respondent a reasonable opportunity of being heard and after making such enquiry as it deems proper, dispose off the appeal for reason to be recorded.
- vi) The proceeding before the appellate authority shall be completed within three months of its institution. However, time may be extended as the case may be giving the reason in writing.

11. Power and procedure of prescribed authority and appellate authority

The prescribed authority and appellate shall have the powers of a Civil Court under the Code of Civil Procedure 1908 (5 of 1908) in respect of the following matter, namely:-

- (1) Summoning and enforcing of attendance of the complainant made under this Act and witness required in connection therewith;
- (2) Compelling the production of any document ;
- (3) Examining witnesses on oath ;and
- (4) May summon and examine suo- moto any person whose evidence appears to be material

Explanation: For the purpose of enforcing the attendance of witnesses and other persons mentioned above, the local limits of the jurisdiction of the prescribed authority extends to the whole of Sikkim.

CHAPTER –V

Power of cognizance

26. No cognizance shall be taken unless complaint is received or filed by any person or persons against the offenders before the Prescribed Authority. The Prescribed Authority has reason belief about the offence or of contravention of any provision of the Act, he shall have the power to take cognizance on suo moto.

Offence and penalties

27. If any person is found carrying on the business of a dealers, hotel- keeper or travel agent in contravention of any provision of the Act and rules made hereunder, the license shall summarily be cancelled and penal action can be initiated against him under the provision of the Act.

Production of NOC /License

28. Any person, who applies under sub- section (1) of section 3 and under section 10 and 19 of the Act, shall produce the No Objection Certificate from the Forest, Environment and wild life Management Department, the Health Department (PFA), Water Security and Public Health Engineering Department and Police Thana for the issuance of the registration Certificate.

Issuance of the license

29. Any person intending to carry out the business of dealer, hotel- keepers, restaurant and bar, or travel agent under this rules shall obtain the license, as per the procedure for obtaining license which have been detailed below:-

1. On receipt of an application and subject to the provision of these rules :-

- (a) License may be issued in respect of business in the tourist area;
- (b) Any person who intends to carry on business provision of clause (c), (d), (e) and (m) of rule 2 of this rule, shall have to apply for the license in Form XI, XII, XIII after the registration of the same before the licensing authority.

License fee

30. The fee in respect of trade license for running of business under the Act shall be paid at the rate prescribed by competent authority from time to time by notification.

Procedure for institution of proceeding

31. A person shall be liable for the proceeding if he defaults for payment of fine imposed by the Prescribed Authority and or for any contravention of any of the provision under the Act and rules made hereunder, the Prescribed Authority or his authorized person may also proceed with the institution of the proceeding before the competent Court of law by filing complaint under the provision of Criminal Procedural Code, 1973 and / or may file complaint before the Police station for registration of the criminal case against the offender.

Place to hold enquiry

32. The Prescribed Authority or his authorized person may hold an the enquiry under the Act at the place of his official Headquarter or at the place where the offence was detected / occurred and or in such other place as he may, deem fit and proper in the interest of the enquiry.

Period for the payments of fine

33. The offender shall pay the fine imposed by the Prescribed Authority instantly to the prescribed authority or his subordinate officer duly authorized by him and after recording in writing the reason may give time not less than five days from the day of offence detected or apprehended or receipt of notice for payment of fine.

Power of Court to try the cases summarily

34. No Court shall take Cognizance of any complaint unless it is filed in writing by prescribed authority or his authorized person before a Judicial Magistrate of First Class who shall try any offence punishable under this Act.

Power of prescribed authority.

35. The prescribed authority or his authorized person may exercise the power of police under section 42 of the Criminal procedural Code, 1973 for the purpose of ascertaining the true name and residence of the offender.

Forfeiture of property.

36. Where any person is convicted or fined under the rules for contravention of any provision of the rule or rules made hereunder, such articles, items, shall be forfeited to the Government.

Notice to be sent by registered post.

37. All notices or Orders issued under the foregoing rules, shall be sent by Form registered post to the address of the person registered under the Act as shown in the application form and all such notices or Orders, as the case may be ,shall be deemed to have been validly communicated when so sent.

Constitution of the committee for fixation of rate.

38. I. The committee under section 25 of Sikkim Registration of Tourist Trade Act comprises of the following :-

- | | | |
|-------|---|------------------|
| (i) | Secretary , Tourism Department | ...Chairman |
| (ii) | One representative of Travel Agent | ... Member |
| (iii) | One each representative of the Bar/ Restaurant/
hotelier/dealer of Tourist are | ...Member |
| (iv) | Prescribed Authority, Tourism Department | Member Secretary |

II. The meetings of the Committee for inspection will be convened by the Prescribed Authority on the day when the hotel/ restaurant/ bar is to be inspected. The Prescribed Authority may or may not inform the hotel keeper, the proprietor of restaurant or bar, of the programme of inspection. After the inspection, on the basis of recommendation of the committee, the prescribed Authority will pass an order to :-

- (a) Fix the reasonable maximum rates and service charges, if any, commensurate with the standard of the hotel and quality of the food, accommodation and services, which may be charged by the hotel keeper during "season" and "off season" periods for lodging from persons staying therein:

Provided that off season rates shall not be fixed less than 50% of the season rate;

Provided further that the rates of lodging shall be fixed with reference to each room or specified accommodation and the member of lodger to be accommodated.

- (b) Fix the percentage of the accommodation of daily and monthly.
(c) Fix the member of the lodgers to be accommodated in each room or in the specified accommodation of the hotel.
(d) Fix fare rates separately for daily and monthly lodgers.

Provided that the revision of rates shall normally be allowed once in a year unless there are sufficient grounds to the satisfaction of the Prescribed Authority to revise the rates before the expiry of one year.

- (e) The committee shall fix the rate of registration fees and other fee as the occasion may arise from time to time.

Display of information and maintenance of registered documents.

39. 1) Every registered hotel keeper shall display, at a conspicuous place, in respect of his hotel, at the entrance of the hotel or at the reception counter of the hotel, on a notice board (with a minimum size of 3'-4') the following information, duly painted, namely:-

(a) Hotel classified (Name of the Hotel)
Class.....Registration
Number under the Sikkim Registration of Tourist Trade Act, 1998
.....

(b) Total accommodation in the hotel giving details as under:

- i) No. of single bed rooms.....
ii) No. of double bed rooms.....
iii) No. of family suits (4 beds).....

(Suits for this purpose mean a unit of more than one room).

- (c) Accommodation occupied.....
(i) Accommodation reserved.....
(ii) Accommodation available.....
(iii) Rate list of each room as approved by the Prescribed Authority
(iv) Other service charges as approved by the Prescribed Authority
(v) Check out time 12.00 noon.

- 2) Rate list of eatables to be displayed on a separate notice board.
- 3 (a) Every registered hotel keeper shall maintain the following books and register, approved by the Prescribed Authority, namely:-
 - (i) Complaint/ suggestion book to be kept at the reception counter.
 - (ii) Guest /tourist visitor register in the form at **Annexure A**.
 - (iii) Bill book duly numbered in duplicate; and
 - (iv) Receipt book duly numbered in duplicate for receipt of payments/ advance.
- (b) The hotel keeper shall not allow the entry of the guest/ tourist in the hotel room unless his particulars are entered in the guest registration register.
- (4) Every registered travel agent/ excursion agent shall maintain the following book and registers as approved by the Prescribed Authority, namely:-
 - (a) Visitors register as at **Annexure –B**
 - (b) Bill book duly numbered in duplicate; and
 - (c) Receipt book duly numbered in duplicate for payments / advance.
- (5) Every registered travel agent/ excursion agent shall display the following information at a conspicuous place, namely:-
 - a) registration certificate;
 - b) rate of Commission as approved by the Prescribed Authority : and
 - c) classification of a travel /excursion agency.
- (6) (a) Proprietor of a Restaurant/ Bar shall display the following information at a conspicuous place, namely:-
 - i. Classification of a restaurant /bar;
 - ii. Registration Certificate;
 - iii. rate list of drinks and closing time;
 - iv. restaurant/ bar opening and closing time.
- (b) Proprietor of a restaurant/ bar shall keep bill books duly numbered as approved by the Prescribed Authority. He shall issue bills to all customers.
- (c) The proprietor of a restaurant/ bar shall keep suggestion/ complaint book duly approved by the Prescribed Authority at the counter.
- (7) Tourist –guide shall display on his person an identity card, duly attested by the Prescribed Authority, and shall furnish a copy of approved rate on demand by a customer.
- (8) (1) Every registered outdoor photographer shall maintain the books and registers, as approved by the Prescribed Authority, namely:-
 - a. Tourist registers as per **Annexure B**;
 - b. Bill/ Cash memo book duly printed and numbered.
- (2) He shall also display on his person the identity card, duly attested by the Prescribed Authority, along with the above documents at the place of his business.

CHAPTER –VIII

Qualification for travel agent.

40. The travel agent should be reasonably qualified and able to communicate clearly in Hindi, English and the local language. He should possess knowledge of culture/ customs of Sikkim. He should be well conversant with the tourist places of Sikkim.

Classification of hotels and travel agents.

41. (1). The Prescribed Authority shall, by an order, in writing, having regard to the standard, structure, quality of food, accommodation and services, classify the hotels as Class A, B, C, etc. according to the criteria of classifications of hotels/ restaurants/bars as given at **Annexure 'C'**
- (2). The Prescribed Authority shall by an order in writing, having regard to the work conduct, reputation, accommodation, seating arrangements in travel agency and efficiency of a travel agent, classify in as of class "A", "B", "C" etc according to criteria of classification of travel agents as at **Annexure D**.

Procedure for advance and refund of advance money:-

42. In case the advance reservation is made for more than four days, the Hotelkeepers shall not demand more than 50% of the amount of the approved rent as advance. After the receipt of the advance money he shall confirm the booking. The entire amount of advance shall be refunded within seven days where confirmation is not done. In case of cancellation of advance reservation by the guest, the following amount can be retained by the Hotelkeeper, namely :-
- (1) Cancellation within 72 hours from the date and time of arrival....10% of the advance amount.
- (2) Cancellation within 48 hours from the date and time of arrival....25% of the advance amount.
- (3) Cancellation within 24 hours from the date and time of arrival....50% of the advance amount.

Repeal and,saving:-

43. The Government, if it deems fit and necessary to do so, may, by Notification, to be published in the Official Gazette make amendments/repeals to the provisions of these rules.

FORM -XI

APPLICATION FORM FOR THE LICENSE OF A DEALER.
[Under rule 29 (l) (b)]

No.....

Date.....

Photo of the
Applicant

To,
The Licensing Authority,

Sir,
I/we request that I/we as a dealer and my/our premises known as.....situated at.....may be issued trade license under Rule 29 of the Sikkim Registration of Tourist Trade Rule, 2006 . The particulars of my business are as mentioned below:-

1. Name of the persons concern with full address intending to be a dealer:
2. Name of the tourist area where the dealer intending to run the business:
3. Name(s) of the proprietor(s)
Partner(s)Director(s)
4. Name and Address of Manager;
5. Details of articles of tourist interest to be sold as notified by the State Government under the Act:
6. Whether the sales staff can speak English fluently, please also State if any staff member can speak foreign language other than English:
7. Expedience in dealing with foreign tourists:
8. Particulars of :
 - (a) Registration number under the Sikkim shop and Commercial Establishment Act,1969
 - (b) Export Code No.
 - (c) Name of the Bankers
 - (d) Foreign exchange license from Reserve Bank of India, if any

9. Father's name of the Applicant
(in case of proprietorship concerns)
10. Telephone numbers :
11. Whether owner of the building/shop:
12. An affidavit to the effect that he does not possess any disqualification mentioned under clause(a),(b), of section 6 of the Act duly attested by a notary/oath Commissioner or Magistrate not below the rank of 1st Class
13. List of documents to be attached :.....
- (a) Revenue papers of the land on which building is situated.
 - (b) Completion Certificate from Urban Development and Housing Department /Gram Panchayat.
 - (c) No Objection Certificate from the Town Planning Department and Forest Department.
 - (d) Affidavit
 - (e) Receipt of evidencing the payment of fee prescribed under rule 5.

Signature of the applicant.

.....

ACKNOWLEDGEMENT

- 1. Name of the Applicant.....
- 2. Fee receipt number
- 3. Date of receipt of applicant.....

Signature of Official
(Seal of Office)

FORM XII

APPLICATION FORM FOR THE REGISTRATION OF A HOTEL
[Under Rule 29(I) (b)]

No.

Date.

Photo of the
Applicant

To,

The Licensing Authority,

Sir,

I/We request that I/we as hotel keeper and my/our hotel known as _____ situated at _____ may be issued trade license under Rule 29 of the Sikkim Registration of Tourist Trade Rule, 2006 in respect of _____.

The particulars of the hotel are as under:-

1. Name of owner/ owners in case of proprietorship concern
Name of partners or Directors in the case of partnership
concern limited companies. _____
2. Name of the person with full address intending to operate a hotel or
is already operating a hotel. _____
3. Name of the place where the hotel is to be run. _____
4. Names (s) of Manager (s) _____
5. Hotel with or without boarding _____
6. Detail of accommodation _____
 - (a) Number of single bed rooms _____
 - (b) Number of double bed rooms _____
 - (c) Number of family suites (4 beded) _____
 - (d) Dormitory _____
 - (e) Reception and lounge _____
 - (f) Dining Hall _____
 - (g) Public areas _____
7. Permanent home address of the applicant _____
8. Telephone number (s), if any: _____

9. Whether own building or rented _____

10. An affidavit duly attested by a Magistrate not below the rank of Magistrate 1st Class to the effect that he does not possess any disqualifications Mentioned under clause (a) and (b) of section 12 of the Act. _____

11. Loan and subsidy availed, if any
(at the time of first registration) _____

Signature of the applicant.

ACKNOWLEDGEMENT

1. Name of the Applicant.....
2. Fee receipt number
3. Date of receipt of applicant.....

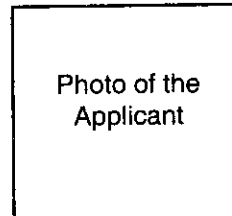
Signature of Official
(Seal of Office)

FORM XIII

APPLICATION FOR LICENSE OF A TRAVEL AGENT/EXCURSION AGENT
[Under rule 29 (I) (b)]

No.....

Date.....



To,
The Licensing Authority,
Sir,

I/We request that I / we may be registered as a Travel Agent /Excursion Agent under Rule 29 of the Sikkim Registration of Tourist Trade Rule, 2006 for _____. The particulars required for the purpose are given hereinafter:-

1. Name of the applicant with address (Capital letters)_____

2. Name of the firm and its registered address (Capital letters)_____

3. Whether the firm is a proprietary/partnership/private
or public or public Ltd. Co: _____

4. Names of Director/Directors/Partner/Partners:_____

5. Names of Bankers: _____

6. Indicate the activities under taken by the firm:-

- (a) Travel arrangement: _____
- (b) Sight seeing: _____
- (c) Hotel booking: _____
- (d) Air Booking: _____
- (e) Hiking/trekking: _____
- (f) Mountaineering: _____
- (g) Any other activities: _____

7. Staff employed: _____

8. Telephone number (s): _____

9. Whether own building or rented: _____

10. An affidavit duly attested by a Magistrate/Notary/Oath Commissioner to the effect that he does not possess any disqualification under Section 2 (I) of the Act.

Yours faithfully,

(Signature of the Applicant)

.....

ACKNOWLEDGEMENT

1. Name of the Applicant.....
2. Fee receipt number
3. Date of receipt of applicant.....

Signature of Official
(Seal of Office)

FORM XIV

APPLICATION FOR REGISTRATION OF A RESTAURANT/BAR
(under rule 4 & 12)

No.....

Date.....

Photo of the
Applicant

To,

The Licensing Authority,

Sir,

I/ we request that I/we may be registered as a proprietor of Restaurant/ Bar known as _____
situated at _____ under Rule 29 of the Sikkim Registration of Tourism Trade
Rule, 2006 in respect of _____

The particulars of the restaurant/bar are as under:-

1. Name of the person(s) with full address intending to operate a Restaurant/Bar

2. Father/Husband's name: _____

3. Name (s) of the proprietor/proprietors with full address: _____

4. Details of accommodation with size and sitting capacity: _____

5. Size and number of toilets: _____

6. License number and date from the concerned authorities (if any): _____

7. Whether own building or rented: _____

8. An affidavit, duly attested by a Magistrate not below the rank of Magistrate 1st class to the effect that he does not process any disqualification mentioned under clause(b) and (c) of section 12 of the Act.

9. Loan and subsidy availed if any at the time of first registration _____

10. Telephone number (s) , _____

Yours faithfully,

Signature of applicant.

.....

ACKNOWLEDGEMENT

1. Name of the Applicant.....
2. Fee receipt number
3. Date of receipt of applicant.....

Signature of Official
(Seal of Office)

FORM XV

CERTIFICATE OF LICENSE OF A DEALER

**GOVERNMENT OF SIKKIM
DEPARTMENT OF TOURISM
[Under rules 29 (I) (b)]**

T/L No _____

Dated: _____

This is to certify that Shri/Smt/Kr. _____ S/O/W/o/D/o

Shr. _____ Proprietor/Manager of M/s _____ has/have been issued Trade License
under the Sikkim Registration of Tourist Trade Rules, 2006 to sell the following notified articles.

Notified Articles:

.....
.....
.....
.....
.....
.....

Registration No:.....

Place.....

Date:.....

(Seal)

(Licensing Authority)

FORM XVI

**CERTIFICATE OF LICENSING OF A HOTEL
GOVERNMENT OF SIKKIM
DEPARTMENT OF TOURISM
[Under rules 29 (I) (b)]**

T/L No _____

Date _____

This is to certify that the hotel known as _____ located at _____ to be operated/
being Proprietor/ Owner(s)/ Manager of the said Hotel as applied has/ have been issued Trade License under the
Sikkim Registration of Tourist Rule, 2006.

(Prescribed Authority)

Details of Accommodation:

- (1) Single Bed Rooms
- (2) Double Bed Rooms
- 3. Family Suite
- 4. Dormitory
- 5. Other details

Registration No.....

Place.....

Date.....

(Seal)

(Licensing Authority)

FORM XVII

**CERTIFICATE OF LICENSING OF BAR/RESTURANT
GOVERNMENT OF SIKKIM
DEPARTMENT OF TOURISM
[Under rules 29 (I) (b)]**

T/L No _____

Date _____

This is to certify that Shri/Smt/Kr. _____, S/o/W/o/Do of Shri _____
has been issued Trade License under the Sikkim Registration of Tourist Trade Rule, 2006 to serve liquor / beer
/ wines / drinks etc, without obtaining necessary permission from Excise and Taxation Commissioner, Sikkim.

Registration No:

Place:.....

Date:.....

(Seal)

(Licensing Authority)

FORM XVIII

**CERTIFICATE OF LICENSING OF TRAVEL AGENT/EXCURSION AGENT
GOVERNMENT OF SIKKIM
DEPARTMENT OF TOURISM
[Under rules 29 (I) (b)]**

T/L No _____

Date _____

This is to certify that Shri/Smt/Kr. _____, S/o/W/o/Do of Shri _____ has
been issued Trade License under the Sikkim Registration of Tourist Trade Rule, 2006 to run a Travel Agency/
Excursion Agency for

Registration No:

Place.....

Date:.....

(Seal)

(Licensing Authority)

